

**ORDINANCE NO. 06- 295**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF LOS ALTOS  
AMENDING CHAPTERS 14.44, 14.46, AND 14.48  
OF THE LOS ALTOS MUNICIPAL CODE**

The City Council of the City of Los Altos does hereby ordain as follows:

**SECTION 1. AMENDMENT OF CODE:** Chapter 14.44 of Title 14 of the Los Altos Municipal Code entitled "CD Commercial Downtown District" is hereby replaced in its entirety with the following:

**Chapter 14.44**

**CD COMMERCIAL DOWNTOWN DISTRICT**

**Sections:**

- 14.44.010 CD District.
- 14.44.020 Specific purposes (CD).
- 14.44.030 Permitted uses (CD).
- 14.44.040 Conditional uses (CD).
- 14.44.050 Required conditions (CD).
- 14.44.060 Front yard (CD).
- 14.44.070 Side yards (CD).
- 14.44.080 Rear yard (CD).
- 14.44.090 Floor area ratio (CD).
- 14.44.100 Off-street parking (CD).
- 14.44.110 Common parking facilities (CD).
- 14.44.120 Off-street loading and refuse collection (CD).
- 14.44.130 Height of structures (CD).
- 14.44.140 Design control (CD).
- 14.44.150 Nonconforming use regulations (CD).
- 14.44.160 Signs (CD).
- 14.44.170 Fences (CD).
- 14.44.180 Restoration of nonconforming structures (CD).
- 14.44.190 Exceptions for public benefit (CD).

**14.44.010 CD District.**

The regulations, general provisions, and exceptions set forth in Chapter 14.66 of this article shall apply in the CD District.

**14.44.020 Specific purposes (CD).**

Specific purposes for CD Districts are as follows:

- A. Promote the implementation of the downtown urban design plan;
- B. Retain and enhance the downtown Los Altos village atmosphere;
- C. Allow latitude for creative design and architectural variety within limits established;
- D. Preserve and improve the character of the area immediately surrounding the existing downtown pedestrian district;
- E. Provide pedestrian amenities such as paseos, outdoor public spaces and outdoor seating;
- F. Establish a sense of entry into the downtown.

- G. Encourage historic preservation for those buildings listed on the City's historic resources inventory;
- H. Encourage the upgrading of building exteriors, signs, passageways and rear entries;
- I. Provide for a full range of retail, office, and service uses appropriate to downtown;
- J. Develop a landscaped strip along the back of properties that abut Foothill Expressway between Edith Avenue and San Antonio Road;
- K. Improve the visual appeal and pedestrian orientation of the downtown; and
- L. Encourage the use of solar, photovoltaic, and other energy conserving devices.

**14.44.030 Permitted uses (CD).**

The following uses shall be permitted in the CD District:

- A. Business, professional, and trade schools;
- B. Maintenance and repair services;
- C. Offices, excluding drive-through facilities;
- D. Parking spaces and loading areas;
- E. Restaurants, excluding drive-through facilities;
- F. Retail and personal services; and
- G. Uses which are determined by the city planner to be of the same general character.

**14.44.040 Conditional uses (CD).**

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in the CD District:

- A. Animal clinics and hospitals;
- B. Cocktail lounges;
- C. Commercial recreation;
- D. Day care centers;
- E. Housing located above the ground floor;
- F. Service stations provided the site has at least one hundred (100) feet of frontage on a street with a minimum site area of twenty thousand (20,000) square feet; and
- G. Uses which are determined by the planning commission and the city council to be of the same general character.

**14.44.050 Required conditions (CD).**

The following conditions shall be required of all uses in the CD District:

- A. All businesses, services, and processes shall be conducted within a completely enclosed structure, except for parking and loading spaces, sale of gasoline and oil at service stations, incidental sales and display of plant materials and garden supplies occupying no more than one thousand five hundred (1,500) square feet of exterior sales and display area, outdoor eating areas operated incidental to permitted eating and drinking services.
- B. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the commission to be objectionable by reason of odor, dust, smoke, noise, vibration, illumination, glare, unsightliness, or electrical disturbances which are manifested beyond the premises in which the permitted use is located.
- C. No property owner, business owner and/or tenant shall permit or allow operation of a business which violates the required conditions of this chapter, including the following general criteria:
  1. Refuse collection. Every development, including applications for tenant improvements, shall be required to provide suitable space for solid waste separation, collection, and storage and shall provide sites for such that are located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way. Refuse collection areas are encouraged to be shared, centralized, facilities whenever possible.

2. **Lighting.** Lighting within any lot that unnecessarily illuminates any other lot and/or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if (i) it clearly exceeds the minimum illumination necessary to provide for security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities, or (ii) if the illumination could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.
3. **Air pollution.** Any use that emits any "air contaminant" as defined by the Bay Area air quality management district shall comply with applicable state standards concerning air pollution.
4. **Maintenance of common areas, improvements, and facilities.** Maintenance of all common areas, improvements, facilities, and public sidewalks adjacent to the subject property shall be required. In the case of public sidewalks, maintenance shall be limited to keeping the sidewalk clean and free of debris, markings, and food and drink stains by means of sweeping, cleaning with water and/or steam cleaning.
5. **Odors.** No use may generate any odor that may be found reasonably objectionable as determined by an appropriate agency such as the Santa Clara County health department and the Bay Area air quality management district beyond the boundary occupied by the enterprise generating the odor.
6. **Noise.** No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level when measured on any other property either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code.  
In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height may be required at a commercial/residential interface. Other conditions may be applied such as, but not limited to, muffling of exterior air conditioning facilities.

#### **14.44.060 Front yard (CD).**

The minimum depth of front yards shall be two feet and shall be landscaped.

#### **14.44.070 Side yards (CD).**

No side yards shall be required, except when the side property line of a site abuts a public street or a public parking plaza, in which case the minimum width of the side yard shall be two feet and shall be landscaped.

#### **14.44.080 Rear yard (CD).**

Structures above fifteen (15) feet in height must have a minimum rear yard of fifteen (15) feet.

Otherwise, no rear yard shall be required except as follows:

- A. Where the rear property line of a site abuts a public parking plaza, the minimum depth of the rear yard shall be two feet and shall be landscaped.
- B. Where the rear property line of a site abuts a public street or alley, the minimum depth of the rear yard shall be ten (10) feet of which the rear two feet shall be landscaped.
- C. A required rear yard may be used for parking, except for the area required to be landscaped.

#### **14.44.090 Floor area ratio (CD).**

The maximum floor area ratio shall be eighty (80) percent of the total area of the site.

#### **14.44.100 Off-street parking (CD).**

Parking facilities shall be provided in accordance with Chapter 14.74 of this title. In addition, parking facilities shall:

- A. Reduce the visual impact of parking structures and parking lots by locating them at the rear or interior portions of building sites;
- B. Minimize the street frontage of the lot or structure by placing its shortest horizontal edge along the street;
- C. When parking structures must be located at street frontage because other locations are proven infeasible, the ground level frontage shall either be used for commercial space or shall provide a landscaped area not less than five feet in width between the parking area and the public right-of-way;
- D. Keep the number of direct entrances to parking facilities from streets to a minimum;
- E. Provide a landscaped buffer not less than five feet in width between a parking lot or structure and street frontage or buildings. Where the landscaped strip adjoins a public street or pedestrian walkway, the landscaped strip may be required to include a fence, wall, berm, or equivalent feature;
- F. Provide a minimum of interior landscaping for unenclosed parking facilities as follows: where the total parking provided is located on one site and is fourteen thousand nine hundred ninety-nine (14,999) square feet or less, five percent of total parking area; where the parking is fifteen thousand (15,000) through twenty-nine thousand nine hundred ninety-nine (29,999) square feet, seven and one-half percent of total parking area; and where the facility is thirty thousand (30,000) square feet or greater, ten (10) percent of total parking area.

<b>Parking Area (in square feet)</b>	<b>Minimum Landscaping (% of Parking Area)</b>
< 15,000	5
15,000 -- 29,999	7.5
> 30,000	10

- G. Trees in reasonable number shall be provided; ground cover alone is not acceptable. Interior landscaping shall be distributed throughout the paved area as evenly as possible. Provision shall be made for automatically irrigating all planted area. All landscaping shall be protected with concrete curbs or other acceptable barriers. All landscaping shall be continuously maintained.

**14.44.110 Common parking facilities (CD).**

(As provided in Chapter 14.74 of this title.)

**14.44.120 Off-street loading and refuse collection (CD).**

- A. Where buildings are served by alleys, all service-delivery entrances, loading docks, and refuse collection facilities shall be located to be accessed from the alley. No loading area shall be located at the street frontage or building facade.
- B. A minimum of thirty-two (32) square feet of covered refuse collection area shall be provided and shall not be located in any front or street side yard. Where an alley exists, the refuse collection area shall be accessed from the alley. Refuse collection areas shall be on site, but are encouraged to be shared, centralized, facilities whenever possible.
- C. On sites not served by an alley, service areas shall be located to the rear, side, or at an internal location where visibility from public streets, public parking plazas and neighboring properties will be minimized.
- D. Refuse collection areas shall be enclosed by a screen wall of durable material and planting as necessary to screen views from streets, public parking plazas and neighboring properties.

#### **14.44.130 Height of structures (CD).**

The maximum height of structures shall be two stories or a maximum of thirty (30) feet. The first story shall have a minimum interior ceiling height of ten (10) feet, and the floor level of the first story shall be no more than one foot above sidewalk level.

#### **14.44.140 Design control (CD).**

- A. No structure shall be built or altered including exterior changes in color, materials, and signage in the CD District except upon approval of the city planner or as prescribed in Chapter 14.78 of this title.
- B. Reduction of apparent size and bulk:
  - 1. As a general principle, building surfaces should be relieved with a change of wall plane that provides strong shadow and visual interest.
  - 2. Every building over seventy-five (75) feet wide should have its perceived height and bulk reduced by dividing the building mass into smaller-scale components by:
    - i. A change of plane;
    - ii. A projection or recess;
    - iii. Varying cornice or roof lines;
    - iv. Other similar means.
  - 3. The proportions of building elements, especially those at ground level, should be kept close to human scale by using recesses, courtyards, entries, or outdoor spaces along the perimeter of the building to define the underlying fifty (50) foot front lot frontage.
  - 4. Rooftop equipment shall be concealed from view and/or integrated within the architecture of the building.
  - 5. Windows should be inset generously from the building wall to create shade and shadow detail; the minimum inset shall be three inches.
- C. The primary access for all buildings shall be directly to the street.
- D. Consideration should be given to the relationship of the project and its location in the downtown to the implementation of goals and objectives of the downtown urban design plan. Evaluation of design approved shall consider one or more of the following factors:
  - 1. The project location as an entry, edge, or core site;
  - 2. The ability to contribute to the creation of open space on-site or in designated areas;
  - 3. Enhancement of the pedestrian environment through the use of pathways, plantings, trees, paving, benches or other amenities;
  - 4. Building facade improvements including, paint, signage, service areas, windows and other features;
  - 5. On-site or off-site parking improvements;
  - 6. Public or private landscape improvements.
- E. Opaque, reflective, or dark tinted glass should not be used on the ground floor elevation. Sixty (60) percent of the ground floor elevation should be transparent window surface.
- F. Courtyards should be partially visible from the street or linked to the street by a clear circulation element such as an open passage or covered arcade.
- G. Rooftop mechanical, venting, and/or exhausting equipment must be within the height limit and screened architecturally from public view, including views from adjacent buildings located at the same level.

#### **14.44.150 Nonconforming use regulations (CD).**

(As provided in Chapter 14.66 of this title.)

#### **14.44.160 Signs (CD).**

(As provided in Chapter 11.04 of Title 11.)

**14.44.170 Fences (CD).**

(As provided in Chapter 14.72 of this title.)

**14.44.180 Restoration of nonconforming structures (CD).**

(As provided in Chapter 14.66 of this title.)

**14.44.190 Exceptions for public benefit (CD).**

- A. To implement the downtown urban design plan, exceptions from the provisions of this chapter may be granted provided the following findings are made:
  - 1. The granting of the exception will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the area;
  - 2. The benefit to the city derived from granting the exception is an appropriate mitigation when considered against the cost to the developer;
  - 3. The project and mitigation will result in a public benefit to the downtown;
  - 4. The resultant project and mitigation are consistent with the General Plan and promote or accomplish objectives of the downtown urban design plan.
- B. For the purposes of this chapter, exceptions may include, but are not limited to, floor area ratio, setbacks, on-site parking, and development or building standards.

**SECTION 2. AMENDMENT OF CODE:** Title 14 of the Los Altos Municipal Code is hereby amended by replacing the Chapter 14.46 table of contents title “CS Downtown Commercial Service District” with “CS Commercial Service District”.

**SECTION 3. AMENDMENT OF CODE:** Chapter 14.46 of Title 14 of the Los Altos Municipal Code entitled “CS Downtown Commercial Service District” is hereby replaced in its entirety with the following:

**Chapter 14.46**

**CS COMMERCIAL SERVICE DISTRICT**

14.46.010 CS District.

14.46.020 Specific purposes (CS).

14.46.030 Permitted uses (CS).

14.46.040 Conditional uses (CS).

14.46.050 Required conditions (CS).

14.46.060 Front yard (CS).

14.46.070 Side yards (CS).

14.46.080 Rear yard (CS).

14.46.090 Floor area ratio (CS).

14.46.100 Off-street parking (CS).

14.46.110 Common parking facilities (CS).

14.46.120 Off-street loading and refuse collection (CS).

14.46.130 Height of structures (CS).

14.46.140 Design control (CS).

14.46.150 Nonconforming use regulations (CS).

14.46.160 Signs (CS).

14.46.170 Fences (CS).

14.46.180 Restoration of nonconforming structures (CS).

14.46.190 Exception for public benefit (CS).

**14.46.010 CS District.**

The regulations, general provisions, and exceptions set forth in this chapter and in Chapter 14.66 of this title shall apply in the CS District.

**14.46.020 Specific purposes (CS).**

Specific purposes for CS Districts are as follows:

- A. Promote the implementation of the downtown urban design plan;
- B. Retain and enhance the downtown Los Altos village;
- C. Allow latitude for creative design and architectural variety within limits established;
- D. Provide sites for commercial services including automobile, building materials, home repair and service, food stores and equipment repair conveniently located in the downtown area;
- E. Strengthen the city's economic base, and provide downtown opportunities for residents to obtain essential goods and services;
- F. Preserve and improve the character of the area immediately surrounding the existing downtown pedestrian district;
- G. Provide pedestrian amenities such as paseos, outdoor public spaces and outdoor seating;
- H. Establish a sense of entry into the downtown.
- I. Encourage historic preservation for those buildings listed on the City's historic resources inventory;
- J. Encourage the upgrading of building exteriors, signs, passageways and rear entries;
- K. Provide, in appropriately located areas, a range of retail commercial and service commercial uses needed by Los Altos' residents, businesses and workers;
- L. Develop a landscaped strip along the back of properties that abut Foothill Expressway between Edith Avenue and San Antonio Road;
- M. Improve the visual appeal and pedestrian orientation of the downtown; and
- N. Encourage the use of solar, photovoltaic, and other energy conserving devices.

**14.46.030 Permitted uses (CS).**

The following uses shall be permitted in the CS District, provided that any existing retail business of fifteen thousand (15,000) square feet or more shall remain a retail use:

- A. Business, professional, and trade schools located above the ground floor;
- B. Maintenance and repair services;
- C. Offices located above the ground floor;
- D. Parking spaces and loading areas;
- E. Restaurants, excluding drive-through services;
- F. Retail and personal services; and
- G. Uses which are determined by the city planner to be of the same general character.

**14.46.040 Conditional uses (CS).**

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in the CS District, provided that any existing retail business of fifteen thousand (15,000) square feet or more shall remain a retail use:

- A. Animal clinics and hospitals;
- B. Cocktail lounges;
- C. Commercial recreation;
- D. Day care centers;
- E. Housing located above the ground floor;
- F. Service stations provided the site has at least one hundred (100) feet of frontage on a street with a minimum site area of twenty thousand (20,000) square feet; and
- G. Uses which are determined by the planning commission and the city council to be of the same general character.

#### **14.46.050 Required conditions (CS).**

The following conditions shall be required of all uses in the CS District:

- A. All businesses, services, and processes shall be conducted within a completely enclosed structure, except for parking and loading spaces, sale of gasoline and oil at service stations, incidental sales and display of plant materials and garden supplies occupying no more than one thousand five hundred (1,500) square feet of exterior sales and display area, outdoor eating areas operated incidental to permitted eating and drinking services.
- B. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the commission to be objectionable by reason of odor, dust, smoke, noise, vibration, illumination, glare, unsightliness, or electrical disturbances which are manifested beyond the premises in which the permitted use is located.
- C. No property owner, business owner and/or tenant shall permit or allow operation of a business which violates the required conditions of this chapter, including the following general criteria:
  1. Refuse collection. Every development, including applications for tenant improvements, shall be required to provide suitable space for solid waste separation, collection, and storage and shall provide sites for such that are located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way. Refuse collection areas are encouraged to be shared, centralized, facilities whenever possible.
  2. Lighting. Lighting within any lot that unnecessarily illuminates any other lot and/or substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if (i) it clearly exceeds the minimum illumination necessary to provide for security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities, or (ii) if the illumination could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.
  3. Air pollution. Any use that emits any "air contaminant" as defined by the Bay Area air quality management district shall comply with applicable state standards concerning air pollution.
  4. Maintenance of common areas, improvements, and facilities. Maintenance of all common areas, improvements, facilities, and public sidewalks adjacent to the subject property shall be required. In the case of public sidewalks, maintenance shall be limited to keeping the sidewalk clean and free of debris, markings, and food and drink stains by means of sweeping, cleaning with water and/or steam cleaning.
  5. Odors. No use may generate any odor that may be found reasonably objectionable as determined by an appropriate agency such as the Santa Clara County health department and the Bay Area air quality management district beyond the boundary occupied by the enterprise generating the odor.
  6. Noise. No person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level when measured on any other property either incorporated or unincorporated, to exceed standards as set forth in Chapter 6.16 of the Los Altos Municipal Code.  
In order to attenuate noise associated with commercial development, walls up to twelve (12) feet in height may be required at a commercial/residential interface. Other conditions may be applied such as, but not limited to, muffling of exterior air conditioning facilities.

#### **14.46.060 Front yard (CS).**

The minimum depth of front yards shall be two and one-half feet, which shall be landscaped.

#### **14.46.070 Side yards (CS).**

No yards shall be required except when the side property line of a site abuts a public street or a public parking plaza, in which case the minimum width of the side yard shall be two and one-half feet, which shall be landscaped.

#### **14.46.080 Rear yard (CS).**

Structures above fifteen (15) feet in height must have a minimum rear yard of fifteen (15) feet. Otherwise, no rear yard shall be required except as follows:

- A. Where the rear property line of a site abuts a public parking plaza, the minimum depth of the rear yard shall be two feet and shall be landscaped.
- B. Where the rear property line of a site abuts a public street or alley, the minimum depth of the rear yard shall be ten (10) feet of which the rear two feet shall be landscaped.
- C. A required rear yard may be used for parking, except for the area required to be landscaped.

#### **14.46.090 Floor area ratio (CS).**

The maximum floor area ratio shall be fifty (50) percent of the total area of the site.

#### **14.46.100 Off-street parking (CS).**

Parking facilities shall be provided in accordance with Chapter 14.74 of this title. In addition, parking facilities shall:

- A. Reduce the visual impact of parking structures and parking lots by locating them at the rear or interior portions of building sites;
- B. Minimize the street frontage of the lot or structure by placing its shortest horizontal edge along the street;
- C. When parking structures must be located at street frontage because other locations are proven infeasible, the ground level frontage shall either be used for commercial space or shall provide a landscaped area not less than five feet in width between the parking area and the public rights-of-way;
- D. Keep the number of direct entrances to parking facilities from streets to a minimum;
- E. No entrance to on-site, underground, or partially submerged parking facilities shall be permitted unless a stacking distance a minimum of twenty (20) feet and no greater than five percent slope is provided from back of curb to the garage entrance and the garage access ramp does not exceed a slope of twenty (20) percent;
- F. Entrance to on-site, underground, or partially submerged parking facilities for properties on the east side of First Street shall be required access only off the public alleys at the rear of said properties. Appropriate directional signs to the underground parking entrance shall be provided on First Street;
- G. Provide a landscape buffer not less than five feet in width between a parking lot or structure and street frontage or buildings. Where the landscaped strip adjoins a public street or pedestrian walkway, the landscaped strip may be required to include a fence, wall, berm, or equivalent feature;
- H. Provide a minimum of interior landscaping for unenclosed parking facilities as follows: where the total parking provided is located on one site and is fourteen thousand nine hundred ninety-nine (14,999) square feet or less, five percent of total parking area; where the parking is fifteen thousand (15,000) through twenty-nine thousand nine hundred ninety-nine (29,999) square feet, seven and one-half percent of total parking area; and where the facility is thirty thousand (30,000) square feet or greater, ten (10) percent of the total parking area.

<b>Parking Area (in square feet)</b>	<b>Minimum Landscaping (% of Parking Area)</b>
< 15,000	5
15,000 - 29,999	7.5
> 30,000	10

- I. Trees in reasonable number shall be provided; ground cover alone is not acceptable. Interior landscaping shall be distributed throughout the paved area as evenly as possible. Provision shall be made for automatically irrigating all planted area. All landscaping shall be protected with concrete curbs or other acceptable barriers. All landscaping shall be continuously maintained.

**14.46.110 Common parking facilities (CS).**

(As provided in Chapter 14.74 of this title.)

**14.46.120 Off-street loading and refuse collection (CS).**

- A. Where buildings are served by alleys, all service-delivery entrances, loading docks, and refuse collection facilities shall be located to be accessed from the alley. No loading area shall be located at the street frontage or building facade.
- B. A minimum of thirty-two (32) square feet of covered refuse collection area shall be provided and shall not be located in any front or street side yard. Where an alley exists, the refuse collection area shall be accessed from the alley. Refuse collection areas shall be on site, but are encouraged to be shared, centralized, facilities whenever possible.
- C. On sites not served by an alley, service areas shall be located to the rear, side, or at an internal location where visibility from public streets, public parking plazas and neighboring properties will be minimized.
- D. Refuse collection areas shall be enclosed by a screen wall of durable material and planting as necessary to screen views from streets, public parking plazas and neighboring properties.

**14.46.130 Height of structures (CS).**

No structure shall exceed two stories or a maximum height of thirty (30) feet.

**14.46.140 Design control (CS).**

- A. No structure shall be built or altered including exterior changes in color, materials, and signage in the CS District except upon approval of the city planner or as prescribed in Chapter 14.78 of this title.
- B. Reduction of Apparent Size and Bulk:
  - 1. As a general principle, building surfaces should be relieved with a change of wall plane that provides strong shadow and visual interest.
  - 2. Every building over seventy-five (75) feet wide should have its perceived height and bulk reduced by dividing the building's mass into smaller-scale components by:
    - i. A change of plane;
    - ii. A projection or recess;
    - iii. Varying cornice or roof lines;
    - iv. Other similar means.
  - 3. The proportions of building elements, especially those at ground level, should be kept close to human scale by using recesses, courtyards, entries, or outdoor spaces along the perimeter of the building to define the underlying fifty (50) foot lot frontage.

4. Roof lines should be broken at intervals no greater than fifty (50) feet by changes in height or setbacks to reinforce the typical parcel increment of fifty (50) feet. Rooftop equipment shall be concealed from view and/or integrated within the architecture of the building.
  5. Windows should be inset generously from the building wall to create shade and shadow detail; the minimum inset shall be three inches.
- C. The primary access for all buildings shall be directly to the street.
  - D. The proportions of building elements at a commercial/residential interface shall be designed to protect residential privacy (including but not limited to window placement), daylight and environmental quality.
  - E. Consideration should be given to the relationship of the project and its location in the downtown to the implementation of goals and objectives of the downtown urban design plan. Evaluation of design approval shall consider one or more of the following factors:
    1. The project location as an entry, edge, or core site;
    2. The ability to contribute to the creation of open space on-site or in designated areas;
    3. Enhancement of the pedestrian environment through the use of pathways, plantings, trees, paving, benches or other amenities;
    4. Building facade improvements including paint, signage, service areas, windows and other features;
    5. On-site or off-site improvements;
    6. Public or private landscape improvements.
  - F. Opaque, reflective, or dark tinted glass should not be used on the ground floor elevation. Sixty (60) percent of the ground floor elevation should be transparent window surface.
  - G. Courtyards should be partially visible from the street or linked to the street by a clear circulation element such as an open passage or covered arcade.
  - H. Rooftop mechanical, venting, and/or exhausting equipment must be within the height limit and screened architecturally from public view, including views from adjacent buildings located at the same level.

**14.46.150 Nonconforming use regulations (CS).**

(As provided in Chapter 14.66 of this title.)

**14.46.160 Signs (CS).**

(As provided in Chapter 11.04 of Title 11.)

**14.46.170 Fences (CS).**

(As provided in Chapter 14.72 of this title.)

**14.46.180 Restoration of nonconforming structures (CS).**

(As provided in Chapter 14.66 of this title.)

**14.46.190 Exceptions for public benefit (CS).**

- A. To implement the downtown urban design plan, exceptions from the provisions of this chapter may be granted provided the following findings are made:
  1. The granting of the exception will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the area;
  2. The benefit to the city derived from granting the exception is an appropriate mitigation when considered against the cost to the developer;
  3. The project and mitigation will result in a public benefit to the downtown;
  4. The resultant project and mitigation are consistent with the General Plan and promote or accomplish objectives of the downtown urban design plan.

B. For the purposes of this chapter, exceptions may include, but are not limited to, floor area ratio, setbacks, on-site parking, and development or building standards.

**SECTION 4. AMENDMENT OF CODE:** Title 14 of the Los Altos Municipal Code is hereby amended by replacing the Chapter 14.48 table of contents title "CRS Downtown Commercial Retail Sales District" with "CRS Commercial Retail Sales District".

**SECTION 5. AMENDMENT OF CODE:** Chapter 14.48 of Title 14 of the Los Altos Municipal Code entitled "CRS Downtown Commercial Retail Sales District" is hereby amended by replacing the title page heading "CRS Downtown Commercial Retail Sales District" with "CRS Commercial Retail Sales District".

**SECTION 6. ENVIRONMENTAL ANALYSIS.** The amended zoning regulations set forth herein have been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act of 1970, as amended, and the guidelines promulgated thereunder, and Council finds that it can be seen with certainty that there is no possibility that these amendments may have a significant effect on the environment and said amendments are therefore exempt from the requirements of the CEQA pursuant to the provisions of Section 15061(b)(3) of Division 6 of Title 14 of the California Code of Regulations.

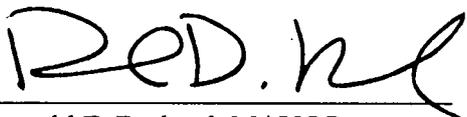
**SECTION 7. CONSTITUTIONALITY.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**SECTION 8. PUBLICATION.** This ordinance shall be published as provided in Government Code section 36933.

**SECTION 9. EFFECTIVE DATE.** This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and regularly introduced at a meeting of the City Council of the City of Los Altos on June 13, 2006 and was thereafter, at a regular meeting held on June 27, 2006 passed and adopted by the following vote:

Ayes: CARPENTER, CASAS, COLE, COLEHOWER, PACKARD  
Noes: NONE  
Absent: NONE

  
Ronald D Packard, MAYOR

Attest:

  
Susan Kitchens, CITY CLERK